

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5178
OFFERED BY MR. Wenstrup

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Veterans Success on
3 Campus Act of 2016”.

4 SEC. 2. DEPARTMENT OF VETERANS AFFAIRS PROVISION
5 OF ON-CAMPUS EDUCATIONAL AND VOCA-
6 TIONAL COUNSELING FOR VETERANS.

7 (a) IN GENERAL.—Chapter 36 of title 38, United
8 States Code, is amended by inserting after section 3697A
9 the following new section:

10 “§ 3697B. On-campus educational and vocational
11 counseling

12 “(a) IN GENERAL.—The Secretary shall provide edu-
13 cational and vocational counseling services for veterans at
14 locations on the campuses of institutions of higher learn-
15 ing selected by the Secretary. Such counseling services
16 shall be provided by employees of the Department who
17 provide such services under section 3697A of this title.

1 “(b) SELECTION OF LOCATIONS.—(1) To be selected
2 by the Secretary under this section, an institution of high-
3 er learning shall provide an appropriate space on the cam-
4 pus of the institution where counseling services can be pro-
5 vided under this section.

6 “(2) In selecting locations for the provision of coun-
7 seling services under this section, the Secretary shall seek
8 to select locations where the maximum number of veterans
9 would have access to such services.

10 “(c) ANNUAL REPORT.—Not later than 180 days
11 after the date of the enactment of this section, and each
12 year thereafter, the Secretary shall submit to Congress a
13 report on the counseling services provided under this sec-
14 tion. Such report shall include, for the year covered by
15 the report—

16 “(1) the average ratio of counselors providing
17 such services to veterans who received such services
18 at each location where such services were provided;

19 “(2) a description of such services provided;

20 “(3) the recommendations of the Secretary for
21 improving the provision of such services; and

22 “(4) any other matters the Secretary deter-
23 mines appropriate.”.

24 “(b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such chapter is amended by inserting

1 after the item relating to section 3697A the following new
2 item:

“3697B. On-campus educational and vocational counseling.”.

3 **SEC. 3. CHARGE TO ENTITLEMENT FOR CERTAIN LICEN-**
4 **SURE AND CERTIFICATION TESTS AND NA-**
5 **TIONAL TESTS UNDER DEPARTMENT OF VET-**
6 **ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-**
7 **SISTANCE PROGRAM.**

8 (a) LICENSURE AND CERTIFICATION TESTS.—Sec-
9 tion 3315(c) of title 38, United States Code, is amended
10 by striking “shall be determined” and all that follows and
11 inserting “shall be pro-rated based on the actual amount
12 of the fee charged for the test”.

13 (b) NATIONAL TESTS.—Section 3315A of such title
14 is amended—

15 (1) in subsection (a), by adding at the end the
16 following new paragraph:

17 “(3) A national test that evaluates prior learn-
18 ing and knowledge and provides an opportunity for
19 course credit at an institution of higher learning as
20 so described.”; and

21 (2) in subsection (c), by striking “shall be de-
22 termined” and all that follows and inserting “shall
23 be pro-rated based on the actual amount of the fee
24 charged for the test”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this Act shall apply to a test taken after the date that
3 is 90 days after the date of the enactment of this Act.

4 **SEC. 4. MODIFICATION OF PERCENTAGE INCREASE IN**
5 **RATES PAYABLE UNDER DEPARTMENT OF**
6 **VETERANS AFFAIRS EDUCATIONAL ASSIST-**
7 **ANCE PROGRAMS.**

8 (a) ALL-VOLUNTEER FORCE.—Section 3015(h)(2) of
9 title 38, United States Code, is amended—

10 (1) by striking “fiscal year 2014” and inserting
11 “fiscal year 2025”; and

12 (2) by striking “fiscal year 2013” and inserting
13 “fiscal year 2024”.

14 (b) SURVIVORS AND DEPENDENTS.—Section 3564(b)
15 of such title is amended—

16 (1) by striking “fiscal year 2014” and inserting
17 “fiscal year 2025”; and

18 (2) by striking “fiscal year 2013” and inserting
19 “fiscal year 2024”.

20 **SEC. 5. EXTENSION OF AUTHORITY FOR VETERANS’ ADVI-**
21 **SORY COMMITTEE ON EDUCATION.**

22 Section 3692(c) of such title is amended by striking
23 “December 31, 2016” and inserting “December 31,
24 2021”.

1 **SEC. 6. TRAINING FOR SCHOOL CERTIFYING OFFICIALS.**

2 (a) TRAINING REQUIREMENT.—The Secretary of
3 Veterans Affairs shall, in consultation with the State ap-
4 proving agencies, set forth requirements relating to train-
5 ing for school certifying officials employed by covered edu-
6 cational institutions offering courses of education ap-
7 proved under chapter 36 of title 38, United States Code.
8 If a covered educational institution does not ensure that
9 a school certifying official employed by the educational in-
10 stitution meets such requirements, the Secretary may dis-
11 approve any course of education offered by such edu-
12 cational institution.

13 (b) DEFINITIONS.—In this section:

14 (1) The term “covered educational institution”
15 means an educational institution that has enrolled
16 20 or more individuals using educational assistance
17 under title 38, United States Code.

18 (2) The term “school certifying official” means
19 an employee of an educational institution with pri-
20 mary responsibility for certifying veteran enrollment
21 at the educational institution.

22 (3) The term “State approving agency” means
23 a department or agency of a State designated under
24 section 3671 of title 38, United States Code.

1 **SEC. 7. LIMITATION ON USE OF REPORTING FEES PAYABLE**
2 **TO EDUCATIONAL INSTITUTIONS AND JOINT**
3 **APPRENTICESHIP TRAINING COMMITTEES.**

4 Section 3684(c) of title 38, United States Code, is
5 amended to read as follows:

6 “(c)(1) The Secretary may pay to any educational in-
7 stitution, or to the sponsor of a program of apprenticeship,
8 furnishing education or training under either this chapter
9 or chapter 31, 34, or 35 of this title, a reporting fee which
10 will be in lieu of any other compensation or reimbursement
11 for reports or certifications which such educational institu-
12 tion or joint apprenticeship training committee is required
13 to submit to the Secretary by law or regulation.

14 “(2) Such reporting fee shall be computed for each
15 calendar year by multiplying \$12 by the number of eligible
16 veterans or eligible persons enrolled under this chapter or
17 chapter 31, 34, or 35 of this title, or \$15 in the case of
18 those eligible veterans and eligible persons whose edu-
19 cational assistance checks are directed in care of each in-
20 stitution for temporary custody and delivery and are deliv-
21 ered at the time of registration as provided under section
22 3680(d)(4) of this title, during the calendar year. The re-
23 porting fee shall be paid to such educational institution
24 or joint apprenticeship training committee as soon as fea-
25 sible after the end of the calendar year for which it is
26 applicable.

1 “(3) No reporting fee payable to an educational insti-
2 tution under this subsection shall be subject to offset by
3 the Secretary against any liability of such institution for
4 any overpayment for which such institution may be admin-
5 istratively determined to be liable under section 3685 of
6 this title unless such liability is not contested by such in-
7 stitution or has been upheld by a final decree of a court
8 of appropriate jurisdiction.

9 “(4) Any reporting fee paid to an educational institu-
10 tion or joint apprenticeship training committee after the
11 date of the enactment of the Post-9/11 Veterans Edu-
12 cational Assistance Improvements Act of 2011 (Public
13 Law 111–377)—

14 “(A) shall be utilized by such institution or
15 committee solely for the making of certifications re-
16 quired under this chapter or chapter 31, 34, or 35
17 of this title or for otherwise supporting programs for
18 veterans; and

19 “(B) with respect to an institution that has 75
20 or more enrollees described in paragraph (2), may
21 not be used for or merged with amounts available
22 for the general fund of the educational institution or
23 joint apprenticeship training committee.

1 “(5) The reporting fee payable under this subsection
2 shall be paid from amounts appropriated for readjustment
3 benefits.”.

4 **SEC. 8. DEPARTMENT OF VETERANS AFFAIRS INSPECTOR**
5 **GENERAL HEIGHTENED SCRUTINY OF PRO-**
6 **GRAMS OF EDUCATION.**

7 (a) IN GENERAL.—Subchapter II of chapter 36 of
8 title 38, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 3699. Inspector General heightened scrutiny of**
11 **programs of education**

12 “(a) HEIGHTENED SCRUTINY REQUIRED.—The In-
13 spector General of the Department shall apply heightened
14 scrutiny to any program of education if any Federal or
15 State agency has made a final judgment or settlement that
16 the program of education used deceptive or misleading
17 practices that are potentially in violation of section 3696
18 of this title.

19 “(b) NOTICE TO STUDENTS.—(1) Upon commence-
20 ment of heightened scrutiny with respect to a program of
21 education under this section, the Secretary shall provide
22 notice of the heightened scrutiny and the reasons for such
23 heightened scrutiny to any individual who—

1 “(A) is enrolled in a course of education ap-
2 proved under this chapter provided by the program
3 of education; and

4 “(B) is entitled to educational assistance under
5 the laws administered by the Secretary.

6 “(2) The Secretary shall provide to any individual
7 who receives notice under this subsection advice that the
8 individual—

9 “(A) request a copy of the individual’s tran-
10 script; and

11 “(B) seek counseling from an appropriate advi-
12 sor about transferring any credits earned at the pro-
13 gram of education.

14 “(c) MONITORING OF ALLEGATIONS.—The Secretary
15 shall monitor allegations of deceptive and misleading prac-
16 tices made against programs of education offering courses
17 of education approved for purposes of this chapter, includ-
18 ing Federal and State investigations. The Secretary shall
19 include information about any such allegation on the GI
20 Bill Comparison Tool, or any similar Internet website of
21 the Department.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by adding
24 at the end of the items relating to subchapter II the fol-
25 lowing new item:

“3699. Inspector General heightened scrutiny of programs of education.”.

1 **SEC. 9. DEPARTMENT OF VETERANS AFFAIRS DIS-**
2 **APPROVAL OF COURSES OF EDUCATION OF-**
3 **FERED BY INSTITUTIONS OF HIGHER LEARN-**
4 **ING ACCUSED OF CERTAIN DECEPTIVE OR**
5 **MISLEADING PRACTICES.**

6 Section 3679 of title 38, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(d)(1) The Secretary shall disapprove a course of
10 education provided by an institution of higher learning if
11 the Secretary determines pursuant to heightened scrutiny
12 applied by the Inspector General under section 3699 of
13 this title that the institution of higher learning has en-
14 gaged in practices that are in violation of section 3696
15 of this title.

16 “(2) The Secretary shall provide counseling services
17 to individuals enrolled in a course of education dis-
18 approved under paragraph (1) to assist such individuals
19 in transferring to another institution of higher learning.”.

